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7	BEFORE THE
9	BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA
10	
11	In the Matter of the Accusation Against: Case No. 2013-12
12	LORRAINE GOLD, aka LORRAINE HELENE BATEMAN
13	14916 Condon Avenue, Unit 1 Lawndale, CA 90260 A C C U S A T I O N
14	Registered Nurse License No. 677297
15	Respondent.
16	
.17	Complainant alleges:
18	<u>PARTIES</u>
19	1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
20	official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
21	of Consumer Affairs.
22	2. On or about April 7, 2006, the Board of Registered Nursing issued Registered Nurse
23	License Number 677297 to Lorraine Gold, aka Lorraine Helene Bateman ("Respondent"). The
24	Registered Nurse License was in full force and effect at all times relevant to the charges brought
25	herein and will expire on April 30, 2014, unless renewed.
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	1

Accusation

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JURISDICTION

- 3. This Amended Accusation is brought before the Board of Registered Nursing ("Board"), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code ("Code") unless otherwise indicated.
- 4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

STATUTORY PROVISIONS

- 5. Section 118, subdivision (b) of the Code provides, in pertinent part:
- "(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground."
- 7. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
 - 8. Section 2761 of the Code provides, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- (a) Unprofessional conduct, which includes, but is not limited to, the following:..."
- 9. Section 2762 of the Code provides, in pertinent part:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter it is unprofessional conduct for a person licensed under this chapter to do any of the following:

- (a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with <u>Section 11000</u>) of the <u>Health and Safety Code</u> or any dangerous drug or dangerous device as defined in Section 4022..."
- 10. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

DRUG DEFINITIONS

11. **Hydrocodone** – a Schedule II controlled substance pursuant to Health and Safety Code section 11055, subdivision (b)(1)(I), and a dangerous drug pursuant to Business and Professions Code section 4022. Hydrocodone is in a class of medications called opiate (narcotic) analgesics and is used to relieve moderate to severe pain. Preparations containing hydrocodone in combination with other non-narcotic medicinal ingredients are in Schedule III.

COST RECOVERY

12. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Unlawful Possession of a Controlled Substance)

- 13. Respondent is subject to disciplinary action under Code section 2762, subdivision (a), in that Respondent possessed in violation of law, a controlled substance and dangerous drug, to wit hydrocodone. The conduct is more particularly described as follows:
- 14. On or about April 14, 2011, the City of Pismo Beach Police Department received a dispatch that Respondent was suicidal. A police officer found Respondent sitting in her vehicle with the driver's door ajar next to a large puddle of vomit. She had sent suicidal text messages to her husband, including stating that she wanted to kill herself, and for her husband not to "bother sending for medical 'cause it won't work, I will be gone by then." On the front passenger seat,

1	she had a notepad containing four letters addressed to Respondent's husband and children and
2	stating her good-byes. In addition, Respondent had in her possession Hydrocodone tablets, a
. 3	bottle of insulin and insulin syringes.
4	SECOND CAUSE FOR DISCIPLINE
5	(Unprofessional Conduct)
6	15. Respondent is subject to disciplinary action under Code section 2761, subdivision
7	(a), in that Respondent engaged in unprofessional conduct. The conduct is more particularly
8	described in paragraph 14, above, and is herein incorporated by reference.
9	PRAYER
10	WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
11	and that following the hearing, the Board of Registered Nursing issue a decision:
12	1. Revoking or suspending Registered Nurse License Number 677297, issued to
13	Lorraine Gold, aka Lorraine Helene Bateman;
14	2. Ordering Lorraine Gold, aka Lorraine Helene Bateman to pay the Board of
15	Registered Nursing the reasonable costs of the investigation and enforcement of this case,
16	pursuant to Business and Professions Code section 125.3;
17	3. Taking such other and further action as deemed necessary and proper.
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20	DATES 1 3 2012
21	DATED: Jouise L. Bailey, M.ED., RM
22	Interim Executive Officer Board of Registered Nursing Board of Registered Nursing
23	Department of Consumer Affairs State of California
24	Complainant
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